BUSINESS REPORT

MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

SENATE FISH AND GAME COMMITTEE

Date: Thursday, March 24, 2011   **Time:** 3:00 PM
Place: Capitol   **Room:** 422

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

SB 400 - Do pass as amended
SB 390 - Do pass as amended
SB 157 - Do pass

Comments:

_____
SEN. John Brenden, Chair

MONTANA STATE SENATE
ROLL CALL
FISH & GAME
COMMITTEE

DATE: _March 24_____, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Balyeat	✓	
Senator Barrett	✓	
Chairman Brenden	✓	
Senator Facey	✓	
Senator Gallus		✓
Senator Hamlett	✓	
Senator Hinkle	✓	
Senator Jent		✓
Senator Shockley	✓	
Senator Wittich		✓

10 Committee Members
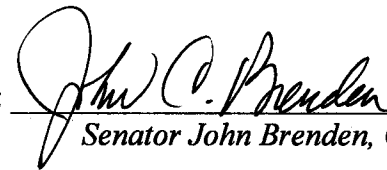
SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Fish and Game** recommend that **Senate Bill 400** (first reading copy -- white) **do pass as amended**.

Signed: _____
Senator John Brenden, Chair

And, that such amendments read:

1. Page 4, line 9.
Following: "hunt"
Insert: "only"

2. Page 4, line 28.
Following: "87-2-505."
Insert: "The elk tag portion of the Class B-10 license is valid only in areas listed in subsection (6)(a)."

3. Page 4, line 30.
Following: "87-2-510."
Insert: "These licenses are valid in any location considered appropriate by the department."

4. Page 5, line 4.
Following: line 3
Insert: "(e) The commission may issue permits to implement the provisions of this subsection (6) in accordance with the wildlife management powers granted by 87-1-301."

5. Page 5, line 4.
Following: "(7)"
Strike: "The"
Insert: "(a) Except as provided in subsection (7)(b),"

6. Page 5, line 7.

Committee Vote:
Yes 7, No 3
Fiscal Note Required __

SB0400001SC.sdr

Following: line 6
Insert: "(b) The revenue collected pursuant to subsection
(6)(c)(ii) must be deposited in the hunting access account
established in 87-1-290 and allocated according to the
provisions of 87-1-290."
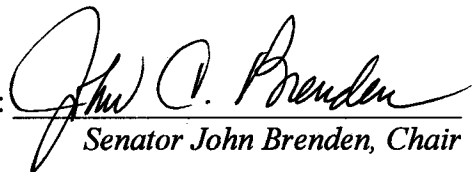
- END -

Mr. President:

We, your committee on **Fish and Game** recommend that **Senate Bill 390** (first reading copy --

white) **do pass as amended**.

Signed: _____
Senator John Brenden, Chair

And, that such amendments read:

1. Title, line 6.
Strike: "INCREASING" through "LICENSE FEE"
Insert: "CREATING A DONATION OPTION"

2. Title, line 8.
Strike: "87-2-202,"
Insert: "87-2-903,"

3. Page 3, line 14.
Following: "[section"
Strike: "4"
Insert: "5"

4. Page 5, line 14 through page 8, line 7.
Strike: Section 2 in its entirety
"**Section 2.** Section 87-2-903, MCA, is amended to read:
"**87-2-903. Compensation, fees, and duties of agents --
penalty for late submission of license money.** (1) License agents,
except salaried employees of the department, must receive for all
services rendered a commission of 50 cents for each transaction,
plus any additional amount as determined by rules adopted
pursuant to subsection (9).
    (2) A license agent may charge a convenience fee of up to
3% of the total amount of a transaction if a purchase is made
with a credit card or a debit card. A financial institution or
credit card company may not prohibit collection of the

Committee Vote:
Yes 8, No 2
Fiscal Note Required __

SB0390001SC.sdr

convenience fee provided for in this subsection.

(3)   Each license agent shall submit to the department the money received from the sale of licenses <u>and donations received pursuant to [section 4]</u>, less the appropriate commission and convenience fee.

(4)   Each license agent shall submit to the department copies of each paper license sold.

(5)   The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.

(6)   The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(7)   For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. <u>The term does not include donations collected pursuant to [section 4]</u>.

(8)   If a license agent fails to submit to the department all money received from the declared sale of licenses <u>and donations received pursuant to [section 4]</u>, less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.

(9)   The department may adopt rules necessary to implement this section."
Renumber: subsequent sections

5. Page 8, line 18.
Following: line 17
Insert: "<u>NEW SECTION.</u> **Section 4.   Donation option for wildlife population management.** A person who applies for or purchases a deer or elk license may donate $1, in addition to the price of each license, for the purposes of wildlife population management as provided in [section 5]."

6. Page 8, line 28.
Strike: "the sale" through "87-2-202"
Insert: "donations received pursuant to [section 4]"

7. Page 9, line 4 through line 6.
Following: "wolves"
Strike: ";" on line 4 through "the department" on line 6
Insert: ", including the authority "
Renumber: subsequent subsections

8. Page 9, line 8.
Strike: "."
Insert: ";"

9. Page 9, line 17.
Strike: "[Section 4] is"
Insert: "[Sections 4 and 5] are"

10. Page 9, line 18.
Strike: "[section 4]"
Insert: "[sections 4 and 5]"

- END -

Mr. President:

We, your committee on **Fish and Game** recommend that **Senate Bill 157** (first reading copy --

white) **do pass**.

Signed: _____
Senator John Brenden, Chair

- END -

Committee Vote:
Yes 7, No 3
Fiscal Note Required __

SB0157001SC.sdr

MONTANA STATE SENATE
Roll Call Vote
FISH AND GAME COMMITTEE

DATE **3/24/11** BILL NO **SB 157** MOTION NO._____

MOTION:_____

_____

_____

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOE BALYEAT, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR TOM FACEY	✓		
SENATOR STEVE GALLUS	✓		✓
SENATOR BRADLEY MAXON HAMLETT	✓		
SENATOR GREG HINKLE		✓	
SENATOR LARRY JENT	✓		
SENATOR JIM SHOCKLEY	✓		
SENATOR ART WITTICH		✓	
SENATOR JOHN BRENDAN, CHAIR		✓	

MONTANA STATE SENATE
Roll Call Vote
FISH AND GAME COMMITTEE

DATE 3/24/11   BILL NO SB 390   MOTION NO._____

MOTION:_____ as amended _____

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOE BALYEAT, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR TOM FACEY		✓	
SENATOR STEVE GALLUS	✓		✓
SENATOR BRADLEY MAXON HAMLETT	✓		
SENATOR GREG HINKLE	✓		
SENATOR LARRY JENT		✓	
SENATOR JIM SHOCKLEY	✓		
SENATOR ART WITTICH	✓		
SENATOR JOHN BRENDAN, CHAIR	✓		
	8	2	

AUTHORIZED
SENATE COMMITTEE PROXY

I, Senator Steve Gallus, request to be excused from the
FISH AND GAME COMMITTEE
due to my other commitment. I desire to leave my proxy vote with:

Tom Facey

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO		BILL/AMENDMENT	AYE	NO
SB 400 amend #1	X					
SB 400 amed #2	X					
SB 400 amed #3	X					
SB 400 as amend	X					
390 amend	X					
SB 390	X					
SB 157	X					

Sen _____
(Signature)

Date 3/24/11

AUTHORIZED
SENATE COMMITTEE PROXY

I, Senator Larry Jent, request to be excused from the
Fish and Game COMMITTEE
due to my other commitment. I desire to leave my proxy vote with:

Nancy Best Tom Facy

Indicate Bill number and your vote Aye or No. If there are amendments, list
them by name and number under the bill and indicate a separate vote for each
amendment.

BILL/AMENDMENT	AYE	NO		BILL/AMENDMENT	AYE	NO
SB 400 and #1	X					
SB 400 and #2	X					

Sen. _Larry Jent_   Date_____
(Signature)

AUTHORIZED
SENATE COMMITTEE PROXY

I, Senator Art Wittich, request to be excused from the

Fish and Game COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

<u>Vice Chair Joe Balyeat</u>

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB400 AMEND 40001	X				
" " 40002	X				

Sen._____ Date_____

(Signature)